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Netflix, Inc., Reed Hastings and David Wells

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11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION
14

15 MARTIN SCHULTHES,
INDIVIDUALLY AND ON BEHALF OF ALL
16 OTHERS SIMILARLY SITUATED,

17 Plaintiff,

18 v.

19 NETFLIX, INC., REED HASTINGS AND
20 DAVID WELLS,

21 Defendants.
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CASE NO.: 3:13-cv-00712-EMC

**STIPULATION AND [PROPOSED]
ORDER EXTENDING
DEFENDANTS' TIME TO
RESPOND TO CLASS ACTION
COMPLAINT AND CONTINUING
CASE MANAGEMENT
CONFERENCE**

STIPULATION AND [PROPOSED] ORDER
EXTENDING DEFENDANTS' TIME TO
RESPOND TO CLASS ACTION COMPLAINT AND
CONTINUING CASE MANAGEMENT CONFERENCE
CASE No.: 3:13-cv-00712-EMC

1 WHEREAS, plaintiff Martin Schulthes (“Plaintiff”) filed a purported Class Action
2 Complaint for Violations of the Federal Securities Laws (the “Complaint”) against defendants
3 Netflix, Inc., Reed Hastings, and David Wells (collectively, “Defendants”) in the above-entitled
4 matter on February 19, 2013;

5 WHEREAS, based on the date on which the Complaint was served, Defendants’ response
6 to the Complaint currently is due on or before April 22, 2013;

7 WHEREAS, pursuant to the Court’s February 19, 2013 Order Setting Initial Case
8 Management Conference and ADR Deadlines, the Initial Case Management Conference is
9 scheduled for May 23, 2013;

10 WHEREAS, the Complaint sets forth claims under the federal securities laws that are
11 subject to the procedural requirements of the Private Securities Litigation Reform Act of 1995
12 (“PSLRA”), including those set forth in 15 U.S.C. § 78u-4;

13 WHEREAS, the PSLRA requires that, after filing a securities class action, the plaintiff
14 must give notice of the action to allow other interested shareholders the opportunity to file
15 motions for appointment as lead plaintiff (*see* 15 U.S.C. § 78u-4(a)(3)) and, thereafter, that the
16 Court appoint a lead plaintiff;

17 WHEREAS, to avoid unnecessary expenditure of judicial resources or effort by the
18 parties and the Court, counsel for Plaintiff and Defendants have agreed (1) that Defendants do
19 not need to respond to the Complaint prior to the Court’s appointment of lead plaintiff and (2) to
20 continue the Initial Case Management Conference until after a lead plaintiff has been appointed
21 to represent the alleged class.

22 NOW, THEREFORE, it is hereby stipulated and agreed by the undersigned counsel for
23 Plaintiff and counsel for Defendants as follows:

24 1. Defendants are not required to respond to the Complaint by April 22, 2013, or at
25 any time prior to the Court’s appointment of a lead plaintiff.

26 2. After the appointment of lead plaintiff, counsel for the lead plaintiff and counsel
27 for Defendants shall forthwith attempt to stipulate to and present to the Court for approval a
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1 schedule by which Defendants shall respond to the Complaint, or any amended complaint, as
2 applicable.

3 3. The Initial Case Management Conference, currently scheduled for May 23, 2013,
4 is hereby adjourned to such other date and time as this Court shall order.

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6 Dated: April 2, 2013

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10 By: /s/ Luke A. Liss
Luke A. Liss
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12 Attorneys for Defendants Netflix Inc., Reed
13 Hastings and David Wells

14 *I, Luke A. Liss, am the ECF User whose ID and password are being used to file this*
15 *STIPULATION AND [PROPOSED] ORDER EXTENDING DEFENDANTS' TIME TO*
16 *RESPOND TO CLASS ACTION COMPLAINT AND CONTINUING CASE MANAGEMENT*
CONFERENCE. In compliance with Civil L.R. 5-1(i)(3), I hereby attest that the signatory below
has concurred in this filing.

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18 Dated: April 2, 2013

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21 By: /s/ Jorge A. Amador
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23 Attorneys for Plaintiff Martin Schulthes

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The CMC is rescheduled to 7/11/13 at 9:00 a.m. A joint CMC Statement shall be filed by 7/5/13.

4/8/13

DATED: _____

Honorable Edward M. Chen
United States District Judge

